

Wetlands Bureau Decision Report

Decisions Taken
07/04/2011 to 07/10/2011

DISCLAIMER:

This document is published for information purposes only and does not constitute an authorization to conduct work. Work in jurisdiction may not commence until the applicant has received a posting permit.

Decisions are subject to appeal, and are reviewed by the federal agencies for compliance with Section 404 of the Federal Clean Water Act.

APPEAL:

I. Any affected party may ask for reconsideration of a permit decision in accordance with RSA 482-A:10,II within 30 days of the Department's issuance of a decision. Requests for reconsideration should:

- 1) describe in detail each ground for complaint. Only grounds set forth in the request for reconsideration can be considered at subsequent levels of appeal;
- 2) provide new evidence or information to support the requested action;
- 3) Parties other than the applicant, the town, or contiguous abutters must explain why they believe they are affected; and
- 4) Be mailed to the DES Wetlands Bureau, PO Box 95, Concord, NH 03302-0095.

II. An appeal of a decision of the department after reconsideration may be filed with the Wetlands Council in accordance with RSA 482-A:10, IV within 30 days of the department's decision. Filing of the appeal must:

- 1) be made by certified mail to George "Chip" Kimball, Chairperson, Wetlands Council, PO Box 95, Concord, NH 03302-0095 (a copy should also be sent to the DES Wetlands Bureau);
- 2) contain a detailed description of the land involved in the department's decision; and
- 3) set forth every ground upon which it is claimed that the department's decision is unlawful or unreasonable.

MINOR IMPACT PROJECT

**2010-03438 MARDEN, CHARLES/KATHLEEN
NEWTON Unnamed Wetland**

Requested Action:

Dredge and fill a total of 4,980 sq. ft. of palustrine forested, scrub-shrub & emergent wetlands to construct four roadway culvert crossings to access a residential subdivision on a 36.5 acre parcel of land.

Conservation Commission/Staff Comments:

No report or comments on this application were received from the Newton Conservation Commission.

APPROVE PERMIT:

Dredge and fill a total of 4,980 sq. ft. of palustrine forested, scrub-shrub & emergent wetlands to construct four roadway culvert crossings to access a residential subdivision on a 36.5 acre parcel of land.

With Conditions:

1. All work shall be in accordance with plans by Civil Construction Management, Inc. dated July 2010 (last revised December 2010), as received by the NH Department of Environmental Services (DES) on February 14, 2011.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. DES Wetlands Bureau Southeast Region staff shall be notified in writing prior to commencement of work and upon its completion.
5. This permit shall not be effective until it has been recorded with the Rockingham County Registry of Deeds office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to construction.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August 1992).

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(h), projects involving less than 20,000 square feet of alteration in the aggregate in nontidal wetlands.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. A vernal pool assessment performed on site found that none of the potential vernal pool habitats surveyed were functioning as vernal pools.

**2011-00300 DEUTSCH, IANE/STEVEN
GILFORD Lake Winnepesaukee**

Requested Action:

Applicant requests reconsideration of the Department's May 13, 2011 decision to deny the application on the merits of additional information submitted.

Conservation Commission/Staff Comments:

- Con Com submitted comments requesting 1) a letter or authorization from the applicant providing the agent permission to act on thier behalf,
- 2) Information on company conducting the proposed work
- 3) the site address is incorrect on the application

APPROVE RECONSIDERATION:

Reconsider and approve permit to: Dredge 9.5 cubic yards from 500 sq ft of lakebed to restore water depth within boat slips provided by an existing docking system consisting of 68 linear ft of breakwater in two sections (one 6 ft, one 62 ft) with a 9 ft gap and a 9 ft gap at the shoreline and a 5 ft x 30 ft cantilevered pier, and a 4 ft x 30 ft piling pier and a 6 ft x 30 wharf connected by a 6 ft x 42 ft 11 in cantilevered walkway in an "E" configuration on an average of 310 ft of frontage on Lake Winnepesaukee, Gilford.

With Conditions:

1. All work shall be in accordance with dredge plans revision dated April 29, 2011, as received by the NH Department of Environmental Services (DES) on April 29, 2011.
2. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
3. This permit does not allow for any work to the existing docking system.
4. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
5. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(g), removal of less than 20 cubic yards of material from the lakebed.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2011-00979 TOWN OF KINGSTON
KINGSTON Tributary To Great Pond

Requested Action:

Dredge and fill a total of 2,790 sq. ft. of permanent and temporary impacts within the embankments and flow channel of a perennial stream to replace an existing, undersized 24-inch CMP culvert with a 10'W x4'H x44'L precast box culvert with concrete headwalls & wingwalls and install a dry hydrant.

Conservation Commission/Staff Comments:

No comments or report was received from the Kingston Conservation Commission on this application.

APPROVE PERMIT:

Dredge and fill a total of 2,790 sq. ft. of permanent and temporary impacts within the embankments and flow channel of a perennial stream to replace an existing, undersized 24-inch CMP culvert with a 10'W x4'H x44'L precast box culvert with concrete headwalls & wingwalls and install a dry hydrant.

With Conditions:

1. All work shall be in accordance with plans by CMA Engineers dated February 2011, as received by the NH Department of Environmental Services (DES) on May 06, 2011.
2. NH DES Wetlands Bureau Southeast Region staff shall be notified in writing prior to commencement of work and upon its completion.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Unconfined work within the stream, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
5. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
6. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
7. Temporary cofferdams shall be entirely removed immediately following construction.
8. Work shall be done during seasonal low flow.
9. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.
10. Faulty equipment shall be repaired prior to entering jurisdictional areas.
11. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
12. All refueling of equipment shall occur outside of surface waters or wetlands.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(1).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

**2011-00980 KINGSTON, TOWN OF
KINGSTON Tributary To Great Pond**

Requested Action:

Dredge and fill a total of 10,190 sq. ft. of permanent and temporary impacts within the embankments and flow channel of a perennial stream at Ball Road Middle to install a 7'W x3'H x48'L precast box culvert with concrete headwalls & wingwalls and install a dry hydrant; and at Great Pond Road to install 12'W x3'H x42'L precast box culvert with concrete headwalls & wingwalls and install a dry hydrant.

Conservation Commission/Staff Comments:

No comments or report was received from the Kingston Conservation Commission on this application.

APPROVE PERMIT:

Dredge and fill a total of 10,190 sq. ft. of permanent and temporary impacts within the embankments and flow channel of a perennial stream at Ball Road Middle to install a 7'W x3'H x48'L precast box culvert with concrete headwalls & wingwalls and install a dry hydrant; and at Great Pond Road to install 12'W x3'H x42'L precast box culvert with concrete headwalls & wingwalls and install a dry hydrant.

With Conditions:

1. All work shall be in accordance with plans by CMA Engineers dated February 2011, as received by the NH Department of Environmental Services (DES) on May 06, 2011.
2. NH DES Wetlands Bureau Southeast Region staff shall be notified in writing prior to commencement of work and upon its

completion.

3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Unconfined work within the stream, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
5. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
6. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
7. Temporary cofferdams shall be entirely removed immediately following construction.
8. Work shall be done during seasonal low flow.
9. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.
10. Faulty equipment shall be repaired prior to entering jurisdictional areas.
11. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
12. All refueling of equipment shall occur outside of surface waters or wetlands.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(1).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2011-00982 TOWN OF KINGSTON
KINGSTON Tributary To Great Pond

Requested Action:

Dredge and fill a total of 2,045 sq. ft. of permanent and temporary impacts within the embankments and flow channel of the Pow Wow River at Ball Road South to install a 10'W x6'H x42'L precast box culvert with concrete headwalls & wingwalls and install a dry hydrant.

The culvert will be cast with a simulated rounded river stone bottom to mimic a natural stream bed.

Conservation Commission/Staff Comments:

No comments or report was received from the Kingston Conservation Commission on this application.

APPROVE PERMIT:

Dredge and fill a total of 2,045 sq. ft. of permanent and temporary impacts within the embankments and flow channel of the Pow Wow River at Ball Road South to install a 10'W x6'H x42'L precast box culvert with concrete headwalls & wingwalls and install a dry hydrant.

The culvert will be cast with a simulated rounded river stone bottom to mimic a natural stream bed.

With Conditions:

1. All work shall be in accordance with plans by CMA Engineers dated February 2011, as received by the NH Department of Environmental Services (DES) on May 06, 2011.
2. NH DES Wetlands Bureau Southeast Region staff shall be notified in writing prior to commencement of work and upon its completion.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.

4. Unconfined work within the stream, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
5. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
6. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
7. Temporary cofferdams shall be entirely removed immediately following construction.
8. Work shall be done during seasonal low flow.
9. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.
10. Faulty equipment shall be repaired prior to entering jurisdictional areas.
11. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
12. All refueling of equipment shall occur outside of surface waters or wetlands.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(1).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2011-01109 NH FISH & GAME DEPARTMENT
ROCHESTER Baxter Lake

Requested Action:

Repair 36 linear ft of existing boat ramp with no change, extend the boat ramp 30 linear ft lakeward to create a 12 ft x 140 ft boat ramp on Baxter Lake, in Rochester.

Conservation Commission/Staff Comments:

No Con Com comments by July 06, 2011

APPROVE PERMIT:

Repair 36 linear ft of existing boat ramp with no change, extend the boat ramp 30 linear ft lakeward to create a 12 ft x 140 ft boat ramp on Baxter Lake, in Rochester.

With Conditions:

1. All work shall be in accordance with plans by Fay, Spofford, and Thorndike LLC dated May 03, 2011, as received by the NH Department of Environmental Services (DES) on May 19, 2011.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. Work shall be done during draw down.
4. Appropriate siltation/erosion/turbidity controls, including a turbidity curtain, shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
5. Upland and bank areas landward of the boat ramp shall not be disturbed by regrading or filling, to minimize the potential for erosion of materials into Baxter Lake.
6. There shall be no cutting of trees or removal of any stumps from the bank except for the area within which construction of the ramp will take place.
7. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the

Protected Shoreland.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(a), projects in any waters of the state that do not meet any of the criteria of Env-Wt 303.02, Env-Wt 303.04 or Env-Wt 303.05.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

MINIMUM IMPACT PROJECT

**2009-02134 HUDSON, TOWN
HUDSON Merrimack River**

Requested Action:

Retain 1,200 sq. ft. of impact within the bank of the Merrimack River to replace a failed 15-inch RCP, headwall and riprap with a 18-inch plastic pipe and riprap.

Conservation Commission/Staff Comments:

see findings.

APPROVE AFTER THE FACT:

Retain 1,200 sq. ft. of impact within the bank of the Merrimack River to replace a failed 15-inch RCP, headwall and riprap with a 18-inch plastic pipe and riprap.

With Conditions:

1. All work shall be in accordance with plans by M.J. Grainger Engineering, Inc. dated August 10, 2010, as received by the NH Department of Environmental Services (DES) on April 29, 2011.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. This After-the-Fact Approval is contingent on the removal of the excess 18-inch pipe from the riprap. The culvert shall be cut flush with the riprap. Photo documentation of the removal shall be submitted to the NH DES Wetlands Bureau Southeast Region by September 8, 2011.

With Findings:

1. On July 24, 2009, personnel from the DES Watershed Assistance Section (WA) investigated an alleged riprap installation without a permit by the Public Works Department (DPW), Hudson, NH.
2. NH DES Wetlands Bureau (DES) received a complaint on August 4, 2009 from the WA of the aforementioned alleged activities.
3. On October 9, 2009, DES issued a letter to the DPW notifying them that DES has received a complaint regarding these activities.
4. On 10/23/09, DES personnel inspected the alleged violation. During the inspection, DES noted the following:
 - a. Culverts and catch basins along Campbello Street my connect with the culvert outfall.
 - b. Stone riprap had been placed along the slope by the DPW to stabilize the area adjacent to the culvert and prevent further erosion.
 - c. An 18-inch culvert had been installed and extended out into the water, causing a plunge pool effect into the river.
 - d. DES records indicate that a permit was not obtained for this activity.
5. On November 10, 2009, DES issued Letter of Deficiency WET 09-049 (LoD) to the DPW requesting the submittal of an After-the-Fact Standard Dredge and Fill Application by December 31, 2009 to retain the impacts found during the above-reference

inspection.

6. On December 21, 2009, DES received a Notification of Routine Roadway and Railway Maintenance Activities from the DPW for the activities found during the inspection. On the same day, DES sent a fax to the DPW 'Relative to the Improper Filing of Routine Roadway and Railway Maintenance Activity'. The fax explained that pursuant to Env-Wt 303.05(q)(9)(b) and 506.01(b), the after-the-fact proposal does not qualify for the Notice of Routine Roadway and Railway Maintenance Activities; therefore, an after-the-fact standard dredge & fill application must be filed.
7. As requested in the LoD, DES received the Standard Dredge and Fill Application on April 29, 2011.
8. This is a minimum impact project per Administrative Rule Env-Wt 303.04(x) Maintenance, repair, or replacement of a nondocking structure such as a culvert, headwall, bridge, dam, residential utility line, or rip-rap slope of less than 50 linear feet.
9. The previous culvert had failed and needed to be replaced; therefore, the need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
10. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
11. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
12. The Hudson Conservation Commission did not comment on the project.
13. No Federal agencies commented on the project.
14. The Local Advisory Committee for the lower Merrimack River did not comment on the project.
15. The NH Natural Heritage Bureau (NHB) stated, "although there was a NHB record present in the vicinity, we do not expect that it will be impacted by the proposed project."
16. DES received a letter from the NH Division of Historical Resources (DHR) on March 1, 2011. The DHR commented that 'No Historic Properties Affected'.

2011-00145 NEW ENGLAND COLLEGE
HENNIKER Contoocook River

Requested Action:

Dredge and fill ± 83 square feet of wetlands to install a steel arch pedestrian footbridge for access to a recreational area.

APPROVE PERMIT:

Dredge and fill ± 83 square feet of wetlands to install a steel arch pedestrian footbridge for access to a recreational area.

With Conditions:

1. All work shall be in accordance with plans received January 18, 2011, and plans by Aspen Environmental Consultants, LLC dated June 14, 2011, as received by the Department on June 17, 2011.
2. Construction shall not result in permanent or temporary impacts to the bed or banks of the Contoocook River.
3. This permit is contingent on approval by the DES Shoreland Protection Program.
4. Work shall be done during low flow conditions.
5. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
6. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(y), trails construction.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas

and environments under the department's jurisdiction per Env-Wt 302.03.

4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2011-00454 ANDERSON, ROBERT
ANTRIM Unnamed Wetland

Requested Action:

Dredge and fill ± 2,368 sq. ft. of palustrine forested wetlands to install twin 24-inch culverts for driveway access to a proposed single family residence on ± 20.98 acres.

APPROVE PERMIT:

Dredge and fill ± 2,368 sq. ft. of palustrine forested wetlands to install twin 24-inch culverts for driveway access to a proposed single family residence on ± 20.98 acres.

With Conditions:

1. All work shall be in accordance with plans by BAG Land Consultants, LLC dated February 17, 2011, as received by the Department on March 07, 2011.
2. Work shall be done during low flow conditions.
3. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
4. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Orange construction fencing shall be placed at the limits of construction within or directly adjacent to wetlands or surface waters to prevent accidental encroachment on wetlands.
6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. Proper headwalls shall be constructed within seven days of culvert installation.
8. Culverts shall be laid at original grade.
9. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f), alteration of less than 3,000 sq. ft. of wetlands.
2. In email correspondence dated April 04, 2011, the Antrim Conservation Commission recommended the Applicant pursue relocating the driveway curb-cut and provide documentation of a decision from the NH Department of Transportation.
3. In email correspondence received April 05, 2011, the project NH Certified Wetland Scientist stated that the building envelope is surrounded by wetlands and impacts are required to allow access.
4. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
5. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
6. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2011-01214 CROUSE, TOM
WALPOLE Unnamed Stream

Requested Action:

Dredge and fill ± 967 sq. ft. of intermittent stream to restore 42 lin. ft. channel and construct a bridge for access to a single family residential lot.

APPROVE PERMIT:

Dredge and fill ± 967 sq. ft. of intermittent stream to restore 42 lin. ft. channel and construct a bridge for access to a single family residential lot.

With Conditions:

1. All work shall be in accordance with plans by Beaver Tracks, LLC dated May 14, 2011, as received by the Department on May 27, 2011.
2. Work shall be done during low flow conditions and in the dry.
3. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
4. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Orange construction fencing shall be placed at the limits of construction within or directly adjacent to wetlands or surface waters to prevent accidental encroachment on wetlands.
6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. Proper headwalls shall be constructed within seven days of culvert installation.
8. Culverts shall be laid at original grade.
9. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. Stream restoration shall be properly constructed, landscaped, monitored and remedial actions taken that may be necessary to create a healthy riverine system that is replicated in a manner satisfactory to the DES Wetlands Bureau. Remedial measures may include replanting, relocating plantings, removal of invasive species, changing stream sinuosity, changing the slope of the stream, and changing the hydrologic regime.
12. The recreated stream channel bed must maintain the natural and a consistent stream bed elevation and not impede stream flow.
13. A post-construction report including photographs documenting the status of the completed construction shall be submitted to the DES Wetlands Bureau within thirty (30) days of the completion of construction.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(z), access to a single family residential lot.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2011-01611 NH DRED
STRATFORD Nash Stream**

Requested Action:

Confirm Emergency Authorization to repair five culverts that failed during recent flooding in Nash Stream Forest.

CONFIRM EMERGENCY AUTHORIZATION:

Confirm Emergency Authorization to repair five culverts that failed during recent flooding in Nash Stream Forest.

With Conditions:

1. Any future replacement of the culverts shall not be considered or approved until a complete drainage analysis and assessment has been conducted by the applicant or is a specifically allowed activity per Administrative Rule or Law in effect at such time.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will

require a new application and approval by the Bureau.

With Findings:

1. This project is classified as Minimum Impact Project per Rule Env-Wt 303.04(o).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. All work in jurisdiction was to repair existing structures.
4. The emergency repairs were needed to provide safe passage on the road. Numerous people were stranded as a result of the washouts.
5. The applicant stated that the Director of Forest and Lands, the Commissioner of DRED, and the Governor wanted measures taken to ensure public safety.

FORESTRY NOTIFICATION

2011-01420 WASIUK, KATHLEEN
NORTHFIELD Unnamed Stream

COMPLETE NOTIFICATION:
Northfield Tax Map R15, Lot# 35 & 36

2011-01421 PERRY STREAM LAND & TIMBER CO., INC.
PITTSBURG Unnamed Stream

COMPLETE NOTIFICATION:
Pittsburg Tax Map C3, C5, D4-6, Lot# 53

2011-01422 GILMAN, JUDITH
MILTON Unnamed Stream

COMPLETE NOTIFICATION:
Milton Tax Map 35, Lot# 35, 36, 37

2011-01423 CLOUTIER, NORMAN/WENDY
TAMWORTH Unnamed Stream

COMPLETE NOTIFICATION:
Tamworth Tax Map 413, Lot# 23

2011-01424 COBBS, MARTHA
EATON Unnamed Stream

COMPLETE NOTIFICATION:
Eaton Tax Map R9, Lot# 23 & 24

2011-01431 BROPHY, COLM
SANBORNTON Unnamed Stream

COMPLETE NOTIFICATION:
Sanbornton Tax Map 14, Lot# 24

2011-01432 SJG PROPERTIE INC
ALSTEAD Unnamed Stream

COMPLETE NOTIFICATION:
Alstead Tax Map 52, Lot# 2

2011-01433 HASTINGS, BRIAN
GRANTHAM Unnamed Stream

COMPLETE NOTIFICATION:
Grantham Tax Map 212, Lot# 16

2011-01511 COLE, STACEY
KEENE Unnamed Stream

COMPLETE NOTIFICATION:
Keene Tax Map 901, Lot# 23-2.40

2011-01540 KEEGAN, JOHN & BARBARA
BOSCAWEN Unnamed Stream

COMPLETE NOTIFICATION:
Boscawen Tax Map 45, Lot# 54

2011-01614 BASS ROOT COACHBARN
PETERBOROUGH Unnamed Stream

COMPLETE NOTIFICATION:
Peterborough, Tax map R2, lot 40

AGRICULTURE MINIMUM

2011-01427 SNYDER, JAMES/SUSAN
CANTERBURY Unnamed Pond

Requested Action:
Proposal to dredge and fill 1,755 sq. ft. of emergent wetlands for construction of a livestock pond and access road for agricultural

activities.

APPROVE PERMIT:

Dredge and fill 1,755 sq. ft. of emergent wetlands for construction of a livestock pond and access road for agricultural activities.

With Conditions:

1. All work shall be done in accordance with plans by NRCS, received by the NH Department of Environmental Services (DES) on June 17, 2011. All work shall adhere to the standards of the "Best Management Wetlands Practices for Agriculture," NH Dept. of Agriculture, September 1998.
2. Any change in use to a non-agricultural purpose will require further permitting by the DES Wetlands Bureau.
3. This permit shall be recorded with the county Registry of Deeds office by the permittee.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(u) Maintenance or improvement of existing crop or pasture land for continued agricultural use, provided:
 - (1) The applicant's county conservation district certifies in writing that:
 - a. The project is in accordance with a plan developed to standards of the "Best Management Wetland Practices for Agriculture", N.H. department of agriculture, dated July 16, 1993, amended September 1998;
 - b. The project is necessary for or incidental to a preexisting and ongoing bonafide agricultural operation as defined by RSA 21:34-a; and
 - c. The plan is limited to those items addressed by the "Best Management Wetlands Practices for Agriculture", N.H. department of agriculture, dated July 16, 1993, amended September 1998;
 - (2) The applicant accepts a permit condition stating that any change in use to a non-agricultural purpose will require further permitting by the department;
 - (3) The applicant shall record the permit at the registry of deeds;
 - (4) The improvement portion of the project does not impact more than 3 acres of wetland;
 - (5) The project is not in or adjacent to prime wetlands, is not in sand dunes, is not in the 100 foot tidal buffer zone, and does not meet the requirements of Env-Wt 303.02(k);
 - (6) The project will cause alteration only to wet meadows except where specifically described in "Best Management Wetlands Practices for Agriculture", N.H. department of agriculture, dated July 16, 1993, amended September 1998;
 - (7) The application includes:
 - a. A complete copy of the county conservation district's cooperator agreement;
 - b. Conservation plan with accompanying map;
 - c. A USDA soil conservation service soils map with the site located;
 - d. A soils legend identifying poorly drained and very poorly drained map units.
 - e. Dated, labeled photograph(s) mounted on 8 1/2" x 11" sheets depicting portions of wetland, shoreline, or surface waters where proposed impact will occur, and showing all existing structures;
 - (8) The project involves poorly drained soils with no greater than 15% inclusion of very poorly drained soils as defined by Env-Ws 1014.02; and
 - (9) The project does not include filling or draining of wetlands of greater than 3,000 sq. ft. for placement of parking lots, or lot development, or of buildings, with the exception of agrichemical handling facility buildings.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

GOLD DREDGE

2011-01482 ORZEL, MICHAEL
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
cc: Bath ConCom

2011-01602 MANSFIELD, H PAUL
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
cc: Bath ConCom

TRAILS NOTIFICATION

2011-01104 USDA FOREST SERVICE
JACKSON Ellis River

COMPLETE NOTIFICATION:
Jackson Tax Map R12, Lot# 620BI

2011-01512 UNH OFFICE OF WOODLANDS OFFICE
DURHAM Unnamed Stream

COMPLETE NOTIFICATION:
Durham Tax Map 13, Lot# 7-2UNH

ROADWAY MAINTENANCE NOTIF

2011-01581 GEORGIA-PACFIC GYPSUM LLC
NEWINGTON Drainage Ditch

COMPLETE NOTIFICATION:
Maintenance dredge an existinf stormwater ditch to include removal of vegetation, reconstruction of ditch and sediment removal

2011-01582 NH DEPT OF TRANSPORTATION
SPRINGFIELD Unnamed Stream Unnamed Wetland

COMPLETE NOTIFICATION:

Remove 40' of a 36" CMP and replace with 40' of 36" CMP, rebuild inlet & outlet headers

**2011-01583 NH DEPT OF TRANSPORTATION
STODDARD Unnamed Wetland**

COMPLETE NOTIFICATION:

Remove an existing 36" RCP and concrete headers and replace with a new 36" HDPE pipe and new concrete headers and extend inlet & outlet by 8 feet

**2011-01604 NH DEPT OF TRANSPORTATION
SPRINGFIELD Unnamed Stream Unnamed Wetland**

COMPLETE NOTIFICATION:

Remove 40' of an existing 36" CMP and replace with 40' of 36" CMP, rebuild inlet & outlet headers

**2011-01605 NH DEPT OF TRANSPORTATION
GORHAM Unnamed Stream**

COMPLETE NOTIFICATION:

Replace an existing culvert and extend 10 feet on the inlet end

PERMIT BY NOTIFICATION

**2011-01566 JOHNSON, LYNDA
TUFTONBORO Lake Winnepesaukee**

Requested Action:

Repair of existing docking structures with no change in size, location or configuration.

Conservation Commission/Staff Comments:

Con Com signed PBN form

PBN IS COMPLETE:

Repair of existing docking structures with no change in size, location or configuration.

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(v), repair of existing docking structures with no change in size, location or configuration.

CSPA PERMIT

**2010-03074 SMITH, ANDREA/J GORDON
MOULTONBOROUGH Lake Winnepesaukee**

Requested Action:

AMENDMENT DESCRIPTION: Revised plans sent June 22, 2011 for a drainage swale along the westerly side of the house and re-establish an existing drainage swale located along the easterly side of house.

Impact 450 sq ft in order to remove and construct a pervious patio, install a drywell and add stone steppers.

APPROVE AMENDMENT:

AMENDMENT DESCRIPTION: Revised plans sent June 22, 2011 for a drainage swale along the westerly side of the house and re-establish an existing drainage swale located along the easterly side of house.

Impact 450 sq ft in order to remove and construct a pervious patio, install a drywell and add stone steppers.

With Conditions:

by NH Environmental Consultants dated November 5, 2010 and received by the NH Department of Environmental Services (DES) on November 9, 2010.

2. There shall be no impacts within wetlands, surface waters, or their banks until any permit as may be required under RSA 482-A has been obtained.
3. No more than 30.6% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. At least 2,763 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2011-01084 BAKER, GREGORY
ENFIELD Smith Pond**

Requested Action:

AMENDMENT DESCRIPTION: Revised plans submitted June 30, 2011 to relocate the structure closer to Smith Pond for greater stability including some excavation and grading.

Impact 5,200 sq ft for the installation of new septic system.

APPROVE AMENDMENT:

AMENDMENT DESCRIPTION: Revised plans submitted June 30, 2011 to relocate the structure closer to Smith Pond for greater stability including some excavation and grading.

Impact 5,200 sq ft for the installation of new septic system.

With Conditions:

1. All work shall be in accordance with plans by Jason Franklin dated May 4, 2011 and received by the NH Department of

Environmental Services (DES) on May 11, 2011.

2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. No more than 0.5% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. In order to remain compliant with RSA 483-B:9, V, (b), (2), the 70,969 sq ft of the existing native vegetation between 50 feet and 150 feet from the reference, as delineated on plans received by DES, must remain in an unaltered state.
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2011-01336 BENNETT, FRANK
ANTRIM Franklin Pierce Lake

Requested Action:

Impact 7,496 sq ft in order to remove existing structure and replace with a new residence, driveway and leachfield.

APPROVE PERMIT:

Impact 7,496 sq ft in order to remove existing structure and replace with a new residence, driveway and leachfield.

With Conditions:

1. All work shall be in accordance with plans by Meridian Land Services, Inc. dated May 5, 2011 and received by the NH Department of Environmental Services (DES) on June 8, 2011.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. No more than 8.8% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. In order to remain compliant with RSA 483-B:9, V, (b), (2), the 2,497 sq ft of the existing native vegetation between 50 feet and 150 feet from the reference, as delineated on plans received by DES, must remain in an unaltered state.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2011-01400 REARDON, JEREMIAH
MEREDITH Winnisquam Lake

Requested Action:

Impact 360 sq ft for the purpose of constructing a 15 ft x 25 ft deck of an existing non-conforming structure.

APPROVE PERMIT:

Impact 360 sq ft for the purpose of constructing a 15 ft x 25 ft deck of an existing non-conforming structure.

With Conditions:

1. All work shall be in accordance with plans by Waterfront Solutions, LLC dated June 1, 2011 and received by the NH Department of Environmental Services (DES) on June 15, 2011.
2. Be advised this permit does not authorize any work with the bank of Lake Winnisquam or the retention of the unauthorized concrete anchoring pad or other unauthorized shoreline structures on the property. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. The shrub plantings in the waterfront buffer shall be landward of the top-of-bank and completed within one year of the initiation of construction.
4. No more than 10.02% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
5. The project as proposed will leave approximately 20,677 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 20,677sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
8. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
9. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
10. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
11. Any fill used shall be clean sand, gravel, rock, or other suitable material.
12. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

With Findings:

1. In accordance with comments and recommendations provided by the New Hampshire Fish and Game Department, no direct impacts to common loons are anticipated as a result of the proposed construction. Fish & Game also recommended native plantings along the properties waterfront buffer to enhance and benefit loon and aquatic organism habitat.

2011-01402 GALLANT, JEFF
WINDHAM Cobbett's Pond

Requested Action:

Impact 825 sq ft for the purpose of replacing an existing impervious wooden walkway with permeable porous pavers, stone steps, landscape improvements, retaining wall construction, and installing a stormwater management system (including dry well and rain garden installation).

APPROVE PERMIT:

Impact 825 sq ft for the purpose of replacing an existing impervious wooden walkway with permeable porous pavers, stone steps, landscape improvements, retaining wall construction, and installing a stormwater management system (including dry well and rain garden installation).

With Conditions:

1. All work shall be in accordance with plans by Hennessey Landscape Services, Inc. dated May 15, 2011 and received by the NH Department of Environmental Services (DES) on June 15, 2011.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A, including any work within the bank of Cobbetts Pond, will require a new application and approval by the Bureau.
3. No more than 31.9% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2011-01411 DUCHARME, KATHLEEN/THOMAS

GILSUM Ashuelot River

Requested Action:

Impact 9015 sq ft (2015 sq ft of permanent impacts and 7000 sq ft temporary impacts) for the purpose of constructing a three bedroom dwelling with deck and septic system.

APPROVE PERMIT:

Impact 9015 sq ft (2015 sq ft of permanent impacts and 7000 sq ft temporary impacts) for the purpose of constructing a three bedroom dwelling with deck and septic system.

With Conditions:

1. All work shall be in accordance with plans by Michael Finley dated June 1, 2011 and received by the NH Department of Environmental Services (DES) on June 16, 2011.
2. All actions associated with the installation of the proposed septic system are contingent on approval by the DES Subsurface Systems Bureau.”
3. No more than 2.2% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. The project as proposed will leave approximately 26,387 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 26,387 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

With Findings:

1. On June 22, 2011, the Department received a Shoreland Application prepared by Michael Finley, on behalf of Thomas & Kathleen Ducharme, for the purpose of constructing dwelling with deck and associated septic within the Protected Shoreland.
2. On June 22, 2011, the Department received a letter from the Ashuelot River Local Advisory Committee requesting that the project be completed with strict erosion and control measures, the existing outhouse be removed upon septic installation, and restrictions be placed on items burned within the pre-existing fire pit.
3. Pursuant to Condition # 6 of the Shoreland Permit, "Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized. Silt fence(s) must be removed once the area is stabilized."
4. Please note, the CSPA does not regulate air pollution.
5. The post-construction impervious surface on the lot shall be 2.2%, well below the threshold requirements of the CSPA, and therefore DES can not require the removal of the pre-existing outhouse structures.

2011-01415 KOZIOL, DON/TRUDY
WOLFEBORO Lake Winnepesaukee

Requested Action:

Impact 2,280 sq ft (958 sq ft permanent impact and 1,322 sq ft temporary impact) for the purpose of removing an existing bluestone patio and constructing a smaller bluestone patio and walkway, a fire pit and seating area, a bocce court made of stone dust (675 sq ft), and re-vegetating the remaining area of former impervious surface with lawn.

APPROVE PERMIT:

Impact 2,280 sq ft (958 sq ft permanent impact and 1,322 sq ft temporary impact) for the purpose of removing an existing bluestone patio and constructing a smaller bluestone patio and walkway, a fire pit and seating area, a bocce court made of stone dust (675 sq ft), and re-vegetating the remaining area of former impervious surface with lawn.

With Conditions:

1. All work shall be in accordance with plans by Beckwith Builders, Inc., dated June 9, 2011 and received by the NH Department of Environmental Services (DES) on June 16, 2011.
2. No more than 14.95% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. There shall be no impacts to existing unaltered areas within the Natural Woodland Buffer on the property as a result of this proposal.
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2011-01441 GELESTINO, DONALD
BARRINGTON Swains Lake

Requested Action:

Impact 288 sq ft for the purpose of constructing a deck and stairs(8 ft x 36 ft) off an nonconforming structure within an existing altered impervious area.

APPROVE PERMIT:

Impact 288 sq ft for the purpose of constructing a deck and stairs(8 ft x 36 ft) off an nonconforming structure within an existing altered impervious area.

With Conditions:

1. All work shall be in accordance with plans by Blaisdell Survey , LLC dated February 21, 2011 and received by the NH Department of Environmental Services (DES) on June 20, 2011.
2. No more than 10.1% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
4. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2011-01447 BAKER, JEFF/MARIE
SUNAPEE Sunapee Lake

Requested Action:

Impact 5,793 sq ft (2,310 permanent impacts; 3,483 temporary impacts)for the purpose of constructing an accessory structure (storage shed), boulder retaining walls, pervious walkway, stairs, landing and patio, reconfiguring a blue stone driveway and parking area, vegetation enhancements, and installation of a stormwater management system (infiltration trenches).

APPROVE PERMIT:

Impact 5,793 sq ft (2,310 permanent impacts; 3,483 temporary impacts)for the purpose of constructing an accessory structure (storage shed), boulder retaining walls, pervious walkway, stairs, landing and patio, reconfiguring a blue stone driveway and parking area, vegetation enhancements, and installation of a stormwater management system (infiltration trenches).

With Conditions:

1. All work shall be in accordance with plans by db Landscaping LLC dated June 28, 2011 and received by the NH Department of Environmental Services (DES) on July 5, 2011.
2. No more than 28.8% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 1720 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 1403.75 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the

structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2011-01453 MERRITT, BRUCE
SALEM Shadow Lake

Requested Action:

Impact 2,820 sq ft in order to rebuild a structure destroyed by fire within the same footprint and move existing septic system further from the reference line.

APPROVE PERMIT:

Impact 2,820 sq ft in order to rebuild a structure destroyed by fire within the same footprint and move existing septic system further from the reference line.

With Conditions:

1. All work shall be in accordance with plans by JPS & Associates dated June 12, 2011 and received by the NH Department of Environmental Services (DES) on June 20, 2011.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. No increase in existing impervious surfaces or expansion of the pre-existing structure within the protected shoreland unless additional approval is obtained from DES.
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2011-01454 STATE OF NEW HAMPSHIRE
SUNAPEE Sunapee Lake

Requested Action:

Impact 7,264 sq ft in order to line the floor of the existing 8 ft diameter steel structural plate pipe with shotcrete, cutting back the mitered end sections and constructing half headwalls and 2 ft cut-off walls.

APPROVE PERMIT:

Impact 7,264 sq ft in order to line the floor of the existing 8 ft diameter steel structural plate pipe with shotcrete, cutting back the mitered end sections and constructing half headwalls and 2 ft cut-off walls.

With Conditions:

1. All work shall be in accordance with plans by NHDOT dated June 1, 2011 and received by the NH Department of Environmental Services (DES) on June 20, 2011.
2. No more than 42.5% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless

additional approval is obtained from DES.

3. In order to remain compliant with RSA 483-B:9, V, (b), (2), the 4,900 sq ft of the existing native vegetation between 50 feet and 150 feet from the reference, as delineated on plans received by DES, must remain in an unaltered state.
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

CSPA PERMIT W/WAIVER

**2010-01672 PISANI, CAROL
HAMPSTEAD Island Pond**

Requested Action:

AMENDMENT DESCRIPTION: Revised plans dated May 12, 2011 to modify previous approved plan with a 48 sq ft increase for proposed structure.

Impact 750 sq ft for the purpose of expanding a nonconforming primary structure and installing a new septic system.

APPROVE AMENDMENT:

AMENDMENT DESCRIPTION: Revised plans dated May 12, 2011 to modify previous approved plan with a 48 sq ft increase for proposed structure.

Impact 750 sq ft for the purpose of expanding a nonconforming primary structure and installing a new septic system.

With Conditions:

1. All work shall be in accordance with plans by Vernon Dingman dated May 21, 2010 and received by the Department of Environmental Services ("DES") on June 24, 2010 and October 21, 2010.
2. This approval includes a waiver of RSA 483-B:9, II (b) and, therefore, shall not be effective until it has been recorded at the appropriate Registry of Deeds and a copy of the recorded waiver is sent to the department by certified mail, return receipt requested.
3. No more than 13.9% of the area of the lot within the protected shoreland shall be composed of impervious surfaces unless additional approval is obtained from DES.
4. This permit is contingent upon receiving all necessary approvals from the NH DES Subsurface Systems Bureau and installing the proposed septic system.
5. The proposed stormwater management plan consisting of (2) drywells connected to rain gutter down spots shall be designed, installed and maintained to effectively intercept and infiltrate stormwater.
6. No impacts to natural ground cover or native vegetation shall occur within the waterfront buffer.
7. There shall be no impacts to wetlands, surface waters, or their banks until any Wetland Permit as may be required under RSA 482-A has been obtained.
8. In order to remain compliant with RSA 483-B:9, V, (b), (2), there shall be no impacts to native vegetation or natural ground cover between 50 feet and 150 feet from the reference line.
9. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with

applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.

10. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
11. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
12. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
13. Any fill used shall be clean sand, gravel, rock, or other suitable material.
14. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
15. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
16. Silt fencing must be removed once the area is stabilized.
17. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2011-01303 LODI TRUST
NASHUA Salmon Brook

Requested Action:

Impact 4,640 sq ft for the purpose of expanding the footprint of a nonconforming primary structure and installing stormwater management techniques.

APPROVE PERMIT:

Impact 4,640 sq ft for the purpose of expanding the footprint of a nonconforming primary structure and installing stormwater management techniques.

WAIVER APPROVED: RSA 483-B:9, V(g)(1) is waived to allow the expansion of a primary structure on a lot within the protected shoreland that exceeds 30% impervious surface coverage.

With Conditions:

1. All work shall be in accordance with plans by Hayner/ Swanson, Inc., dated May 31, 2011 and received by the Department of Environmental Services ("DES") on June 6, 2011.
2. This approval includes a waiver of RSA 483-B:9, V(g)(1) and, therefore, shall not be effective until it has been recorded at the appropriate Registry of Deeds and a copy of the recorded waiver is sent to the department by certified mail, return receipt requested.
3. No more than 36.0% of the area of the lot within the protected shoreland shall be composed of impervious surfaces unless additional approval is obtained from DES.
4. The proposed stormwater treatment measures shall be designed, installed and maintained to effectively intercept and infiltrate stormwater. 5. All pervious technologies used shall be designed, installed and maintained to effectively absorb and infiltrate stormwater.
6. No impacts shall occur to natural ground covers within the waterfront buffer.
7. There shall be no impacts within wetlands, surface waters, or their banks until any permit as may be required under RSA 482-A has been obtained.
8. In order to remain compliant with RSA 483-B:9, V, (b), (2), the 3,761 sq ft of unaltered area between 50 ft and 150 ft of the reference line, as delineated on plans received by DES must remain in an unaltered state.
9. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on areas determined to remain in an unaltered state.
10. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.

11. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
12. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
13. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
14. Any fill used shall be clean sand, gravel, rock, or other suitable material.
15. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
16. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
17. Silt fencing must be removed once the area is stabilized.

With Findings:

1. The existing non-conforming structure is located on a lot that exceeds 30% impervious surface coverage within the protected shoreland adjacent to Salmon Brook and, therefore, fails to conform to the impervious surface limitation set forth in RSA 483-B:9, V (g)(1), of the CSPA.
2. In accordance with RSA 483-B:11, II, the commissioner shall review proposals which are more nearly conforming than the existing structures, and may waive some of the standards specified in RSA 483-B:9, so long as there is at least the same degree of protection provided to the public waters and the proposal is "more nearly conforming."
3. The applicant has proposed to decrease the impervious area within the protected shoreland by 455 sq ft.
4. The applicant has proposed to install stormwater controls consisting of curbing and catch basins that will direct stormwater to an underground infiltration basin.
5. The applicant has proposed to utilize porous asphalt that will better treat on-site stormwater.
6. The applicant has proposed to reduce impervious area and install stormwater controls, and therefore, meets the requirements for a waiver of RSA 483-B:9 as described in RSA 483-B: 11, I.